

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Crim. No. 20-232 (JRT/BRT)

Plaintiff,

v.

(1) Russell Jason Rahm,
also known as Rusty Rahm;
(5) David John Moulder;
(6) Anthony Eugene Moulder;
(7) Rhonda Jean Moulder;
(8) Barbara Ann Moulder;
(9) Luis Orlando Mendizabal;
(10) Jeffrey Lee Smoliak;
(17) Brian Douglass Cox;
(19) Amondo Antoine Miller;
(20) Kiley Marie Saindon,
also known as Kiley Lucero;
(21) Henry Aragon;
(22) Lucille J. Patterson,
also known as Lucille Makatura;
(24) Tara Nicole Creason;
(28) Jennifer Lynn Williamson,
also known as Jennifer Key,
also known as Jennifer Roybal,
also known as Jennifer Lynn Girardin;
(31) Tashena Lavera Crump;
(35) Ballam Hazeakiah Dudley;
(36) Caitlin Colleen Schlusser,
also known as Caitlin Colleen Schlusser;
(37) Monica Sabina Sharma-Hanssen;
(38) Timothy Paul Hanssen,
also known as Scotty;
(43) Eric Stephen Esherick,

Defendants.

**NOTICE OF HEARING
AND
PRE-HEARING ORDER**

NOTICE OF HEARING

The above-entitled matter is hereby noticed for a criminal motions hearing on the motions listed below, before the undersigned U.S. Magistrate Judge on **March 3, 2022**, at **9:30 a.m.** by either via video conference, or at the Diana E. Murphy U.S. Courthouse in Minneapolis, in a courtroom to be determined.

PRE-HEARING ORDER

1. Motions.

The Government and many of the Defendants listed in the above caption have filed the following various pretrial motions in this case:

Doc. Nos. 106, 880, 881, 882, 884, 885, 886, 887, 888, 889, 890, 893, 894, 895, 896, 897, 898, 899, 900, 908, 909, 911, 913, 917, 918, 919, 920, 921, 923, 924, 925, 926, 928, 929, 930, 931, 933, 934, 935, 936, 937, 938, 939, 940, 942, 943, 944, 945, 947, 948, 949, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 967, 968, 969, 970, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 987, 988, 990, 991, 992, 995, 998, 999, 1000, 1001, 1002, 1003, 1004, 1006, 1007, 1008, 1009, 1011, 1014, 1020, 1021, 1022, 1023, 1024, 1025, 1027, 1029, 1032, 1033, 1037, 1038, 1039, 1040, 1041, 1043, 1045, 1053, 1057, 1059.)¹

The Court directs counsel to meet and confer again regarding the above listed motions. Following the meet and confer, defense counsel must each inform the Court no later than **February 17, 2022**, as to whether they still seek to maintain each of their motions. If they do not seek to maintain a motion (or a part of a motion), counsel must file a letter stating his or her intent to withdraw that motion (or part of that motion). If the parties are in agreement that a motion, or part of a motion, is now moot, they must state so in the letter filed with the Court.

¹ Motions to Sever, and other trial-related motions will be decided by Chief Judge John R. Tunheim at a later date. (See Doc. Nos. 901, 906, 912, 922, 932, 946, 951, 966, 972, 985, 996, 997, 1005, 1016, 1030, 1042.)

Also, a Notice of Hearing and Pre-Hearing Order addressing the pending motions at Doc. Nos. 1035 and 1077 will be issued separately and is forthcoming.

In light of the current COVID-19 pandemic, and District Court General Orders, the Court has limited ability to hold in-person motions hearings in the near future. Therefore, if their motions remain pending, on or before **February 17, 2022**, defense counsel must file a letter on ECF indicating whether their client consents to hold the motion hearing related to the above listed motions via video conference.

2. **Witnesses.** It is the Court's understanding that witnesses may be called regarding one or more of the pending motions. After meeting and conferring with counsel from the other side, please confirm how many witnesses will be called and the estimated length of their testimony no later than **February 24, 2022**, by providing a joint email to chambers at thorson_chambers@mnd.uscourts.gov.
3. **Attorneys.** Counsel shall notify the Court via e-mail to thorson_chambers@mnd.uscourts.gov by **February 24, 2022**, if more than one attorney will be present representing a party.
4. **Anticipated Observers.** Counsel shall notify the Court via e-mail to thorson_chambers@mnd.uscourts.gov by **February 24, 2022**, if they expect more than 10 observers to be present for the proceeding.
5. **Exhibits:**
 - a. **Documents.** Counsel shall pre-mark and make .pdf copies of all such possible exhibits that they may seek to introduce at the hearing, and e-mail one complete set thereof to the Court at thorson_chambers@mnd.uscourts.gov **no later than February 24, 2022**. Counsel shall also e-mail one complete set of .pdf copies of all such potential pre-marked exhibits to opposing counsel **no later than February 24, 2022**.
 - b. **Video/Audio Recordings.** Counsel shall pre-mark and make electronic copies (whether by DVD, USB drive, or similar electronic media) of all such possible exhibits that they may seek to introduce at the hearing, and send one complete set thereof to the Court **to arrive no later than February 24, 2022**. Counsel shall also send one complete set of all such potential pre-marked exhibits to opposing counsel **to arrive no later than February 24, 2022**.

SO ORDERED.

Date: January 13, 2022

s/ Becky R. Thorson
BECKY R. THORSON
United States Magistrate Judge